

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID LAWRENCE,
Petitioner,

v.

THOMAS MCGINLEY, THE DISTRICT
ATTORNEY OF PHILADELPHIA AND
THE ATTORNEY GENERAL OF
PENNSYLVANIA,
Respondent.

CIVIL ACTION

NO. 19-3022

ORDER

AND NOW, on this 14th day of April 2021, having received objections by the Petitioner to the Magistrate Judge's Report and Recommendation which appear to have been mailed to the Court in a timely manner, **IT IS ORDERED** that the Court's Order that the Report and Recommendation is Approved and Adopted (ECF 26) **IS HEREBY VACATED**. Petitioner's Motion to Strike (ECF 28) is, accordingly, **DENIED** as **MOOT**.

IT IS FURTHER ORDERED, upon careful and independent consideration of the petition for a writ of habeas corpus, after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice and review and consideration of Petitioner's objections (ECF 27), that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;
2. The petition for writ of habeas corpus is **DISMISSED WITH PREJUDICE**;
3. There is no probable cause to issue a certificate of appealability; and,
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.